

It is hereby **ORDERED** that if proper service is not made and fully executed Affidavits of Service or Waivers of Service are not filed on the docket by **May 12, 2023**, the action may be dismissed without prejudice for lack of prosecution as to Defendant Julio Aldecocera, CEO Lakeview Loan Servicing LLC, unless good cause for the failure to comply with Rule 4 is shown prior to that time.

It is further **ORDERED** that the Affidavit for Default Judgment (ECF No. 11) is **DENIED** without prejudice to refile if Defendant fails to respond to a properly served Summons and Complaint.

BY THE COURT:

/s/ Chad F. Kenney

CHAD F. KENNEY, JUDGE

(2) If service cannot be made on a registered agent of the limited liability company because of failure to comply with chapter 605 or because the limited liability company does not have a registered agent, or if its registered agent cannot with reasonable diligence be served, process against the limited liability company, domestic or foreign, may be served:

(a) On a member of a member-managed limited liability company;

(b) On a manager of a manager-managed limited liability company; or

(c) If a member or manager is not available during regular business hours to accept service on behalf of the limited liability company, he, she, or it may designate an employee of the limited liability company to accept such service. After one attempt to serve a member, manager, or designated employee has been made, process may be served on the person in charge of the limited liability company during regular business hours.

(3) If, after reasonable diligence, service of process cannot be completed under subsection (1) or subsection (2), service of process may be effected by service upon the Secretary of State as agent of the limited liability company as provided for in s. 48.181.

(4) If the address for the registered agent, member, or manager is a residence, a private mailbox, a virtual office, or an executive office or mini suite, service on the domestic or foreign limited liability company may be made by serving the registered agent, member, or manager in accordance with s. 48.031.

The Court does not find any evidence of proper service under any of the avenues detailed above. While Plaintiff filed a Proof of Service (ECF No. 9), it appears that Plaintiff filled out the form themselves. Additionally, the form is incomplete and does not name the individual that provided service, nor contain a signature or address for the individual that provided service. The Court notes that service must be made by “[a]ny person who is at least 18 years old and not a party” to the action. Fed. R. Civ. P. 4(c)(2). Additionally, the United States Postal Service receipt, Certified Mail Receipt (Domestic Mail Only), and the tracking updates do not constitute proper proof of service under any of the rules outlined above.

Copies by mail to:

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